

REMARKS

The above amendments and these remarks are responsive to the Office action dated August 6, 2004. Claims 1-13 are pending in the application. In the Office action, claims 1 and 3 were rejected under 35 U.S.C. 102(b) based on U.S. Pat. No. 6,261,140 to Yoshida et al. ("Yoshida"), claims 1, 3, and 4 were rejected under 35 U.S.C. 102(b) based on U.S. Pat. No. 5,931,712 to Hattori et al. ("Hattori"), claim 2 was rejected under 35 U.S.C. 103(a) based on either one of Yoshida or Hattori in view of U.S. Pat. No. 6,213,828 to Tsumiyama et al. ("Tsumiyama"), claim 7 was rejected under 35 U.S.C. 103(a) based on either one of Yoshida or Hattori in view of U.S. Pat. No. 5,676,575 to Fukuda et al. ("Fukuda"), claims 5, 6, and 8 were indicated as allowable if rewritten in independent form, and claims 9-13 were allowed.

Applicant thanks the Examiner for the careful consideration of the application, and for the indications of allowability. Applicant traverses the rejections, but nevertheless amends the claims as shown above. In view of the amendments above, and the remarks below, applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Claim 1

Claim 1 has been amended to recite that "the exhaust pressure reducing chamber is provided at a rear end of the exhaust passage," and that the "discharge port contact[s] the ambient side of the hull." Two exemplary embodiments illustrating such a configuration are shown in annotated Figures 1, 5, and 10 below.

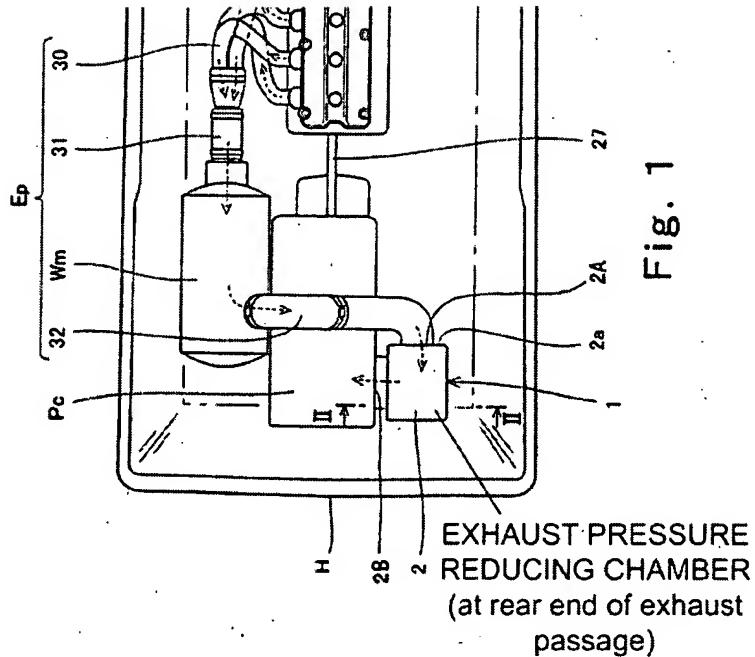


Fig. 1

Annotated Fig. 1 of Subject Application

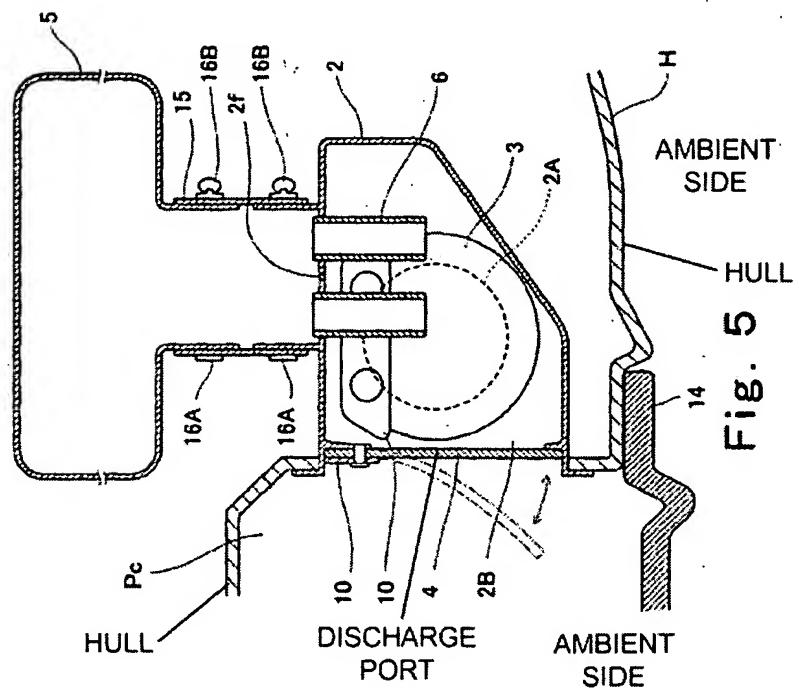
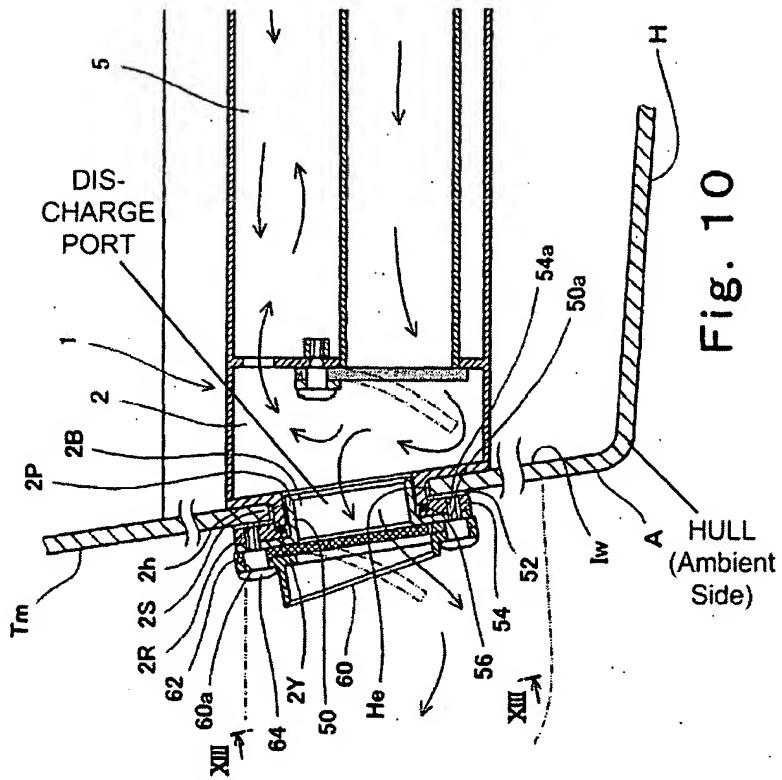


Fig. 5

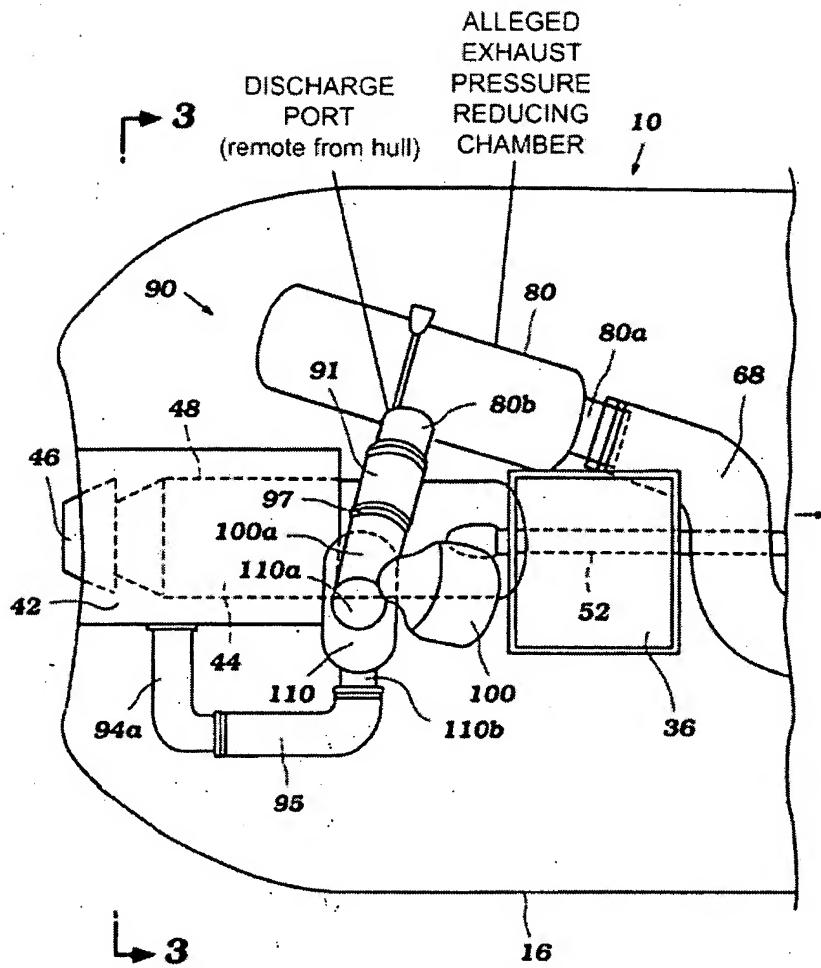
Annotated Fig. 5 of Subject Application

Fig. 10



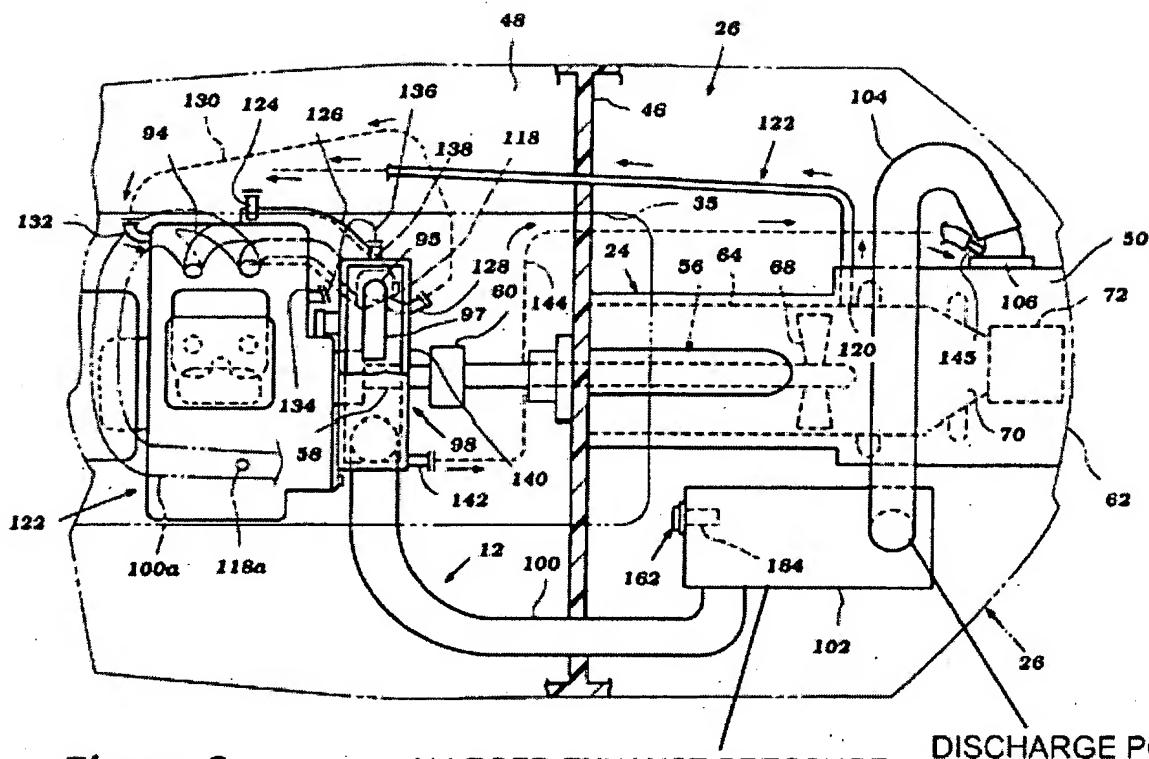
Annotated Fig. 10 of Subject Application

In contrast to the configuration of amended claim 1, the alleged exhaust pressure reducing chamber (watertrap device 80) of Yoshida is provided in the middle of an exhaust line, remote from the hull. A discharge port (see annotation) of the alleged exhaust pressure reducing chamber does not contact the ambient side of the hull, as shown in annotated Fig. 2 below. Therefore, Yoshida fails to disclose or suggest the combination of features claimed in amended claim 1.



Annotated Fig. 2 of Yoshida

With regard to Hattori, as shown in alleged Fig. 2 below, the alleged exhaust pressure reducing chamber (water trap 102) is positioned remote from the hull of the watercraft. Therefore, the discharge port (see annotations) does not contact an ambient side of the hull.



Claims 9-13

Claims 9-13 have been allowed.

Claim 14-15

Original claim 6, which was indicated as allowable if rewritten in independent form, has been rewritten as new claim 14. Claim 14, as well as dependent claim 15, are therefore believed allowable.

Claim 16

Original claim 8, which was indicated as allowable if rewritten in independent form, has been rewritten as new claim 16. Therefore, this claim is believed allowable.

Claim 17

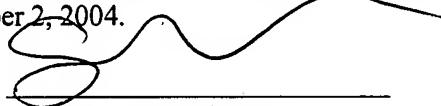
New claim 17 recites that "the exhaust pressure reducing chamber is provided at a rear end of the exhaust passage," and that "a part of an outer wall of the exhaust pressure reducing chamber is configured to have a protruding portion in a ring shape forming the discharge port, such that the protruding portion extends within a through hole formed on the hull." These features, in combination with the remaining elements of claim 17, are not disclosed or suggested by the prior art of record. Therefore, claim 17 is believed allowable.

Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicant respectfully requests that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or

if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on December 2, 2004.



Josi Bridges

Respectfully submitted,

KOLISCH HARTWELL, P.C.

Chu Tilton, Reg No 41357 for

Mark D. Alleman

Registration No. 42,257

Customer No. 23581

Attorney/Agent for Applicant(s)/Assignee

520 S.W. Yamhill Street, Suite 200

Portland, Oregon 97204

Telephone: (503) 224-6655

Facsimile: (503) 295-6679